

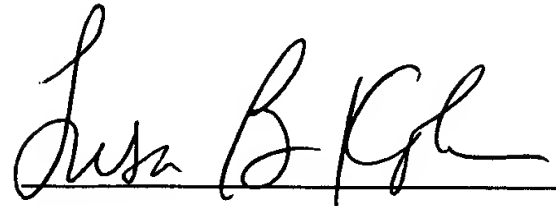
REMARKS

Claims 1-9 and 14-19 are pending and under consideration. Claim 7 is amended to put the claim in proper Markush group format. Claims 1 and 14 are amended as suggested by the Examiner in the Advisory Action, to relate to nucleic acid molecules having 95% sequence identity with SEQ ID NO:1 in the region extending from the thymidine at position 1 to the cytosine at position 2240, and having promoter activity. This amendment is made without prejudice to the prosecution of subject matter cancelled by amendment in other patent applications. As stated by the Examiner, the amendment is supported by the instant specification at page 15 line 24.

The drawings were objected to for the reasons set forth on the PTO Form 948 dated March 22, 2003. Specifically, Figures 1A, 1B and 7A-8C were objected to as containing lines, numbers and letters that are not of uniform thickness and well defined, clean, durable and black. Figures 1A, 1B and 8B were objected to as containing shade lines that are pale, rough and blurred. Figures 1A, 1B, and 7A-8C were objected to as containing numbers, letters and reference characters of less than 1/8 inch in height. In the Advisory Action, the Examiner indicated that the proposed drawing correction was approved. As the amendment was not entered, as a formal matter the drawings are resubmitted with this paper.

It is believed that the amendments made herein put the application in order for allowance.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Lisa B. Kole", written over a horizontal line.

Lisa B. Kole

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Enclosures

TECHNICAL AMENDMENTS TO THE DRAWINGS:

Please substitute original Figures 1A, 1B, 7A, 7B, 7C, 7D, 7E, 7F, 8A, 8B, and 8C with the replacement versions contained herein.